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CLERICAL CONFORMITY AND THE ELIZABETHAN SETTLEMENT REVISITED*

PETER MARSHALL and JOHN MORGAN

University of Warwick

Running Head: Clerical Conformity Revisited

ABSTRACT: This article re-examines the nature and extent of conformity to the Religious Settlement amongst the parish clergy in the first decades of Elizabeth I's reign. The estimate of Henry Gee, made over a century ago, that only around 300 clergymen were deprived for non-conformity to the Settlement has been remarkably influential and durable, and it continues to shape broader assessments of the ways in which religio-political change was implemented and received in this period. Using digital resources such as the Clergy of the Church of England Database, in conjunction with hitherto neglected biographical compilations, the article argues for a significant revision of Gee's figures. More broadly, it reflects on the complex meanings of 'conformity' in a period of perplexing change and dramatic institutional disruption, disputing any suggestion that apparent acquiescence signalled pervasive 'acceptance' of the alteration in religion among the clergy. In the process, it draws attention to the pitfalls of uncritical deployment of numbers and statistics, and of using them as explanatory short-cuts in understanding the dynamics of Reformation change.

I

To what extent did the English parish clergy 'conform' to the Elizabethan Settlement of 1559? This is a question to which historians of the English Reformation have long believed

that they know the answer, and one on which larger assessments of the stability and intrinsic durability of the new regime have often been made to hang. The issue of exactly how many of the parochial clergy conformed to the Settlement, or rather, of how many can be shown not to have conformed to it, was addressed – and apparently settled – well over a century ago. In his 1898 book, *The Elizabethan clergy and the settlement of religion*, the Anglican clergyman, and sometime Professor of Church History at the University of Durham, Henry Gee (1858-1938), ventured a thorough scrutiny of the surviving evidence, and concluded that under 300, and probably not ‘many more than 200’, clergy were deprived of office for refusal to acknowledge Elizabeth’s supremacy. He further argued that the number of resignations occasioned by the Settlement, though difficult to determine definitively, was likely to have been more or less negligible.¹

These were not in their time revolutionary findings. They chimed with an established perception among historians, stretching back to John Strype, and, beyond him, to the first historian of the Settlement, William Camden, that the Marian parish clergy offered little resistance to the change of religion in 1559 – a perception based on the remarkably small number of them that seemingly refused to comply and were consequently deprived of their livings.² Gee’s achievement was to place this prevailing assessment on an apparently secure empirical footing, and his calculations for the number of dissidents among the clergy have proved remarkably durable and influential.

The eye-catching estimation that only 2-300 parish incumbents overtly opposed the

Department of History, University of Warwick, Coventry CV4 7AL p.marshall@warwick.ac.uk;
John.Morgan@warwick.ac.uk

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¹ Henry Percy Gee, *The Elizabethan clergy and the settlement of religion* (London, 1898), pp. 247, 244.

² John Strype, *Annals of the reformation and establishment of religion, and other various occurrences in the Church of England, during Queen Elizabeth's happy reign* (Oxford, 1824), p. 255; William Camden, *Annales the true and royall history of the famous empress Elizabeth Queene of England* (London, 1625), p. 30.

re-introduction of Protestantism in 1559 is, in fact, one that has been almost universally adopted in standard accounts of Reformation change. A. G. Dickens, in both the first and second editions of his *English Reformation*, straightforwardly endorsed Gee's figure of about 200 deprivations, while describing the number of parish clergy refusing the oath of supremacy as 'insignificant'. Dickens conceded that unexplained disappearances from the records in subsequent years might represent resignations of Catholics, but he warned readers against any strained interpretation of negative evidence which 'contradicts the submissive character of the Tudor parish clergy'.³

Like some earlier commentators, Dickens opted for a total at the bottom of Gee's narrow spectrum of numbers.⁴ But already in the middle of the twentieth century a consensus had started to emerge that the true figure probably lay towards the upper end. Maurice Powicke judged there to have been about 300 deprivations, 'by no means all for doctrinal reasons'. This was, Powicke thought, compelling evidence of 'the ease with which the transition to the new order was made... how little need Elizabeth had to fear resistance.'⁵ Another monument of mid-twentieth century scholarship, G. R. Elton's *England under the Tudors*, estimated that 240-300 beneficed clergy, from a total of about 8000, were deprived between 1560 and 1566, and agreed that 'the lesser clergy gave little trouble'.⁶

The complacency about clerical compliance has diminished somewhat in more recent discussions of the implementation of the Settlement, but the memorable figure of only around 300 deprivations of parochial clergy remains firmly rooted in the scholarship. It is to be encountered in a remarkably wide range of surveys and specialist accounts (including a

³ A. G. Dickens, *The English Reformation* (Fontana edn, 1967), 423 and note; (2nd edn, London, 1989), 366 and note.

⁴ Both W. H. Frere and G. M. Trevelyan had already taken Gee's not 'many more than 200' to be 'not more than about 200', 'not more than 200': Frere, *The English church in the reigns of Elizabeth and James I* (London, 1904), p. 104; Trevelyan, *English social history: a survey of six centuries, Chaucer to Queen Victoria* (London, 1942), p. 174.

⁵ Maurice Powicke, *The Reformation in England* (London, 1941), p. 129.

⁶ G. R. Elton, *England under the Tudors* (3rd edn, London, 1991), p. 276.

textbook by one of the present authors).⁷ Even the arch-revisionist, Christopher Haigh, though he had detected higher rates of non-compliance in Lancashire, uncomplainingly accepted Gee's national estimate in his 1993 survey, *English reformations*.⁸

The apparent virtual unanimity around this question is particularly surprising in view of the existence of a long-standing counter-narrative. In 1907, the Benedictine scholar Henry Norbert Birt directly challenged Gee's calculations. Birt claimed that he had collected details relating to 1,800 presentations to vacancies in more than 700 parochial benefices up to the end of 1580. From these he had been able to extract the names of over 700 incumbents deprived before 1565, and had also found a significant number of unexplained resignations concentrated in the early part of the period.⁹ Individuals resigning might indeed pop up elsewhere, but Birt had drawn up for himself a list of 1,934 clergy who seemingly 'disappeared' in the period up until 1565. Making some allowance for deaths and transfer to other dioceses (and employing some frankly creative arithmetic), Birt arrived at a figure of 1,875 'irreconcilables': 700 deprived and 1,175 resigning for reasons of conscience.¹⁰ This represented, as he thought, about a quarter of all the beneficed clergy, hardly the 'insignificant' number of die-hard opponents posited by Gee.

⁷ J. B. Black, *The reign of Elizabeth, 1558-1603* (Oxford, 1959), p. 21 (Black stops short of wholeheartedly endorsing Gee's figure, but refers to the 'small minority who were resisted and deprived of their livings'); Peter J. Helm, *England under the Yorkists and Tudors 1471-1603* (London, 1968) p. 167; Owen Chadwick, *The Reformation* (revised ed, Harmondsworth, 1972), p. 133; Simon Adams, 'Government and politics 1553-1625: crown, church and parliament', in Christopher Haigh, ed., *The Cambridge historical encyclopedia of Great Britain and Ireland* (Cambridge, 1990), p. 155; John Guy, *Tudor England* (Oxford, 1990), p. 293; Diarmaid MacCulloch, *The later Reformation in England, 1547-1603* (Basingstoke, 1990), p. 112; Susan Doran, *Elizabeth I and religion, 1559-1603*, (London and New York, 1994), p. 49; Scott A. Wenig, *Straightening the altars: the ecclesiastical vision and pastoral achievements of the progressive bishops Under Elizabeth I, 1559-1579* (New York, 2000), p. 49; Felicity Heal, *Reformation in Britain and Ireland* (Oxford, 2003), p. 211; Mark Chapman, *Anglicanism: a very short introduction* (Oxford, 2006), p. 32; Steven G. Ellis with Christopher McGinn, *The making of the British Isles: the state of Britain and Ireland, 1450-1660* (Harlow, 2007), p. 162; John Edwards, *Mary I: England's Catholic queen* (New Haven and London, 2011), p. 344 ('about 5 per cent' of parochial clergy); Eric Ives, *The Reformation experience: living through the turbulent 16th Century* (Oxford, 2012), p. 248; Peter Marshall, *Reformation England, 1480-1642* (2nd edn, London, 2012), p. 159.

⁸ Christopher Haigh, *Reformation and resistance in Tudor Lancashire* (Cambridge, 1975), pp. 209-216; Haigh, *English reformations: religion, politics, and society under the Tudors* (Oxford, 1993), p. 244.

⁹ Henry Norbert Birt, *The Elizabethan Settlement of religion: A study of contemporary documents* (London, 1907), p. 197.

¹⁰ Birt, *Elizabethan Settlement*, p. 202.

But, in contrast to Gee, Birt failed to provide any adequate referencing for his claims. This, coupled with a feeling that his approach was *parti pris* and tendentious, dissuaded historians from showing much interest in or regard for his work.¹¹ Even twentieth-century Catholic historians inclined to accept Birt's findings, like J. H. Pollen and Philip Hughes, were not sure that they represented unqualified good news. The latter pronounced gloomily that even 'the most optimistic view of the affair' showed that 'no less than three-fourths... now abandoned both the mass and the pope as easily as the priests of twenty-five years earlier had abandoned the Roman Supremacy'.¹²

As numerous scholars have noted, the apparent malleability of the parish clergy stands in sharp contrast to the near complete deprivation of the Marian bishops for refusal to swear the Oath of Supremacy. There has also been a growing awareness of remarkable levels of resistance among the higher and cathedral clergy, a phenomenon recently underlined by Eamon Duffy, who estimated that of 261 English and Welsh prebendaries he was able to identify, 137 resigned or were deprived for refusal to conform to the Elizabethan Settlement, along with 43 out of 77 senior cathedral office-holders. Duffy conceded that 'far fewer of the lower clergy demonstrated this sort of resolution', but went on pertinently to warn that 'we lack detailed local studies to establish the real extent of the disruption at parish level'.¹³

A handful of such studies have been attempted. For Elizabethan Lancashire, Haigh found the narrative of a generally pliant clergy uncritically accepting the Settlement to be

¹¹ P. M. Tillot, ed., *A history of the county of York: the city of York* (London, 1961), p. 149; Penry Williams, *The Tudor regime* (Oxford, 1979), p. 266n; S. T. Bindoff, *Tudor England* (Harmondsworth, 1950), p. 193. Bindoff was unusually open to estimates of the number of non-conforming clergy other than Gee's, yet he stopped short of endorsing a 'modern Catholic' figure of 2000. He concluded that, with exact figures difficult to obtain, 'the student is free to place his guess' at any number between 200 and 1,000. A rare exception to scholarly disregard of Birt's estimates is William J. Sheils, 'The Catholic community', in Susan Doran and Norman Jones, eds, *The Elizabethan world* (London, 2011), p. 254: 'The Marian bishops, except for Kitchin of Llandaff, all resigned, and their example was followed by a number of cathedral clergy and about 2,000 parish priests.'

¹² J. H. Pollen, *The English Catholics in the reign of Queen Elizabeth* (London, 1920), pp. 39-32; Philip Hughes, *The Reformation in England*, (3 vols., London, 1950-4), III, 37-8.

¹³ Eamon Duffy, *Fires of Faith: Catholic England under Mary Tudor* (New Haven and London, 2009), pp. 197-9.

‘woefully inadequate’.¹⁴ The most carefully forensic investigations at county level, however, have been those undertaken for Sussex by Brian Manning and Timothy McCann. Manning suggested that at least one-sixth of Marian clergy in the diocese of Chichester were formally deprived in the 1560s. McCann found ‘strong resistance among the clergy to the settlement’, and calculated that 61 benefices (from a total of 287 in the diocese) were deprived of their incumbent near the start of the reign. Yet Manning considered the truculence of Sussex clergy to be untypical of the country as a whole, and McCann, though he suspected the conventional nationwide figure of only 300 deprivations to be one ‘in need of revision’, was in no position to offer an alternative to it.¹⁵

In seeking to reopen the question of ‘clerical conformity’ at the start of Elizabeth’s reign, the aims of the current discussion are threefold. In the first place, we seek to argue that the handful of scholars who have raised doubts about the accepted tally of c. 300 deprivations were undoubtedly correct to do so, and that Gee’s headline figure paints a misleadingly anodyne gloss on the nature of the problem the Elizabethan authorities faced, and on the extent of unease and recalcitrance among the clergy in the parishes. Making this case will involve a close re-examination of Gee’s methodology and findings, and we will suggest that the former was more questionable, and the latter much more provisional, than they are often supposed to have been. We will demonstrate how, using precisely the same sources, but with a different set of parameters, Gee might have arrived at a very different figure. Secondly, we explore the potential of some record compilations and databases unavailable to Gee for showing how his estimates might convincingly be revised upwards. Finally, we offer some reflections on historians’ habitual use of the category of ‘conformity’ itself in relation to

¹⁴ Haigh, *Reformation and resistance*, p. 209.

¹⁵ Roger B. Manning, *Religion and society in Elizabethan Sussex* (Leicester, 1969), pp. 54-9; Timothy J. McCann, ‘The clergy and the Elizabethan Settlement in the diocese of Chichester’, in M. J. Kitch, ed., *Studies in Sussex Church History* (London, 1981), pp. 99-115 (quotation at p. 104). Writing about the same time as McCann, Alan Dures suspected ‘the generally accepted figure of only 300 resignations (sic) out of 8,000 incumbents is probably too low’: *English Catholicism 1558-1642* (Harlow, 1983), pp. 2-3.

clerical reception of the Settlement, and on the pitfalls of uncritical deployment of numbers and statistics as explanatory short-cuts in any meaningful discussion of the religious climate of the 1560s.

II

Henry Gee's *Elizabethan clergy* is a monument to late Victorian documentary scholarship, providing an impressively detailed narrative of the passage of the Acts of Supremacy and Uniformity, and of their subsequent implementation. During the period of his purview, every diocese was inspected: by a Royal Visitation in 1559 (for which detailed returns survive only for the Northern Province) and by a Metropolitan Visitation in 1560-1, and was subjected to the attentions of two Ecclesiastical Commissions between 1559 and 1562.

Gee was scrupulous in his collation and exposition of the available documentary evidence. Yet he was curiously selective, and even arbitrary, in his analysis of it. As we have seen, Gee proposed a figure for clergy deprived between 1558 and 1564 which 'cannot have greatly exceeded two hundred'.¹⁶ The terminus was fixed for 1564 because it was after this date, Gee claimed, that removals from office started being for advanced Protestant rather than for conservative sympathies: the deprivation of the Vestarian Controversialists Thomas Sampson and Lawrence Humphrey in 1565 supposedly ushered in a new era of Puritan, rather than Catholic discontent.¹⁷

Yet there are good reasons to extend the focus beyond 1564, and even into the 1570s. Brian Manning found, for example, that a fifth of the forty-four Marian incumbents he identified as deprived in Sussex between 1558 and 1570 were removed after 1564.¹⁸ In county Durham, five Marian incumbents were deprived between 1564 and 1569, alongside

¹⁶ Gee, *Elizabethan clergy*, pp. viii-ix.

¹⁷ Gee, *Elizabethan clergy*, p. 238.

¹⁸ Manning, *Religion and Society*, p. 55.

just two for their uncompromising Puritanism.¹⁹ It is difficult to see how former Marian clergy, deprived for Catholic sympathies in the course of the 1560s, can meaningfully be categorised as ‘conforming’ to the Settlement, whether or not some token gesture of compliance had earlier been coaxed out of them. William Whitehead, vicar of Heighington, Durham, subscribed to the Supremacy, Injunctions and Prayer Book, at the fourth time of asking, in 1559, yet was later an active participant in the 1569 rising.²⁰

Within his rather truncated chronology, Gee’s final figure of around 200 was arrived at by making a series of subtractions from an ‘extreme possible number’ of 480 deprivations.²¹ The larger figure was derived from a study of complete episcopal registers, in eleven out of twenty-six dioceses, and of partial registers, including information from *sede vacante* registers, for a further seven. No mention is made of the sources used for either the dioceses of Coventry and Lichfield, or Oxford. As he in fact acknowledged, Gee’s source base was remarkably incomplete, with significant gaps for Bristol, Carlisle, Ely, Lincoln, Bangor, Llandaff, St. David’s and York.²² The absence of anywhere near complete data for the vast diocese of Lincoln is particularly unfortunate.²³ Lincoln was home to 1160 parishes, yet Gee could examine no episcopal registers for his period of study, with the *sede vacante* lists only covering the period between July 1559 and February 1560. Gee thus makes eight months’ worth of crown appointments provide the data for an entire six-year period, in a diocese containing well over ten per cent of England’s total number of parishes.²⁴

¹⁹ Edward Rowland, ‘The popular reformation in county Durham’ (MA Thesis, Durham, 1989), p. 149.

²⁰ Rowland, ‘Popular reformation’, p. 135.

²¹ Gee, *Elizabethan clergy*, p. 251.

²² Gee, *Elizabethan clergy*, p. 237.

²³ Gee’s critic, Henry Norbert Birt, pointed out the significance of these gaps in 1900, noting that ‘complete accuracy is unattainable for the very period when it would have proved of such inestimable value’: Henry Norbert Birt, ‘The deprivation of clergy in Elizabeth’s reign’, *The Dublin Review*, 126 (January, 1900), pp. 25-45 (quotation at p. 28n).

²⁴ Gee noted this ‘lamentable gap’ for Lincoln (*Elizabethan clergy*, p. 237), yet it was swiftly filled by his contemporary C.W. Foster, who in the late 1890s located a series of near-contemporary records covering institutions in the period 1547 to 1570. C.W. Foster, ‘Institutions to benefices in the diocese of Lincoln, 1540-1570: calendar no. I’, *Reports and papers of the architectural and archaeological societies of the counties of Lincoln and Northampton*, 24 (1897-98), pp. 1-32, 467-525; ‘Institutions to benefices in the

Issues with Gee's sources aside, there are also question marks over his arithmetical calculations. Gee's proposed upper limit of 480 deprived clergymen was a figure reached by adding the 400 deprivations he found in the registers to a further eighty parochial clergy named by the contemporary Catholic exile Nicholas Sanders, in *De visibili monarchia*, published at Douai in 1571, which contains a list of 194 deprived English and Welsh clergymen, including bishops and cathedral dignitaries.²⁵ From this total of 480 Gee subtracted 108 deprivations of those he called 'perverts' – a term employed to mean subscribing clergy who were subsequently deprived in or before 1564, 'after an acquiescence which may or may not have been feigned'.²⁶ Twenty-four more were subtracted for technical defects, such as appearing to be laymen, or the date of their deprivation being mistakenly attributed to before 1565. Gee then removed all of the eighty clerics identified by Sanders but not found in the (incomplete) registers, even though he conceded that 'doubtless some of the names were accurate enough'.

Thus, with several bold strokes of the razor, Gee was able to conclude that 'the list comes fairly below 300'. Assuming that 'of these an uncertain proportion were, in all probability, deprived for other offences than refusal to acknowledge the settlement of religion', Gee then shaved the total further to produce his distinctly underwhelming figure of not 'many more than 200' out of a claimed 9,400 ecclesiastical livings.²⁷ Another compiler, taking a less relentlessly minimalist approach to these calculations, might have emerged with a figure closer to 450 than to 200, even without looking beyond 1564 or pondering too closely the question of record survival. Gee's chronology, and his arithmetical reasoning,

diocese of Lincoln, 1540-1570: calendar no. II', *Reports and papers of the architectural and archaeological societies of the counties of Lincoln and Northampton*, 25 (1899-1900), pp. 499-505; 'Institutions to benefices in the diocese of Lincoln in the sixteenth century', *Lincolnshire notes and queries*, 5 (1898), pp. 129-81, pp. 195-243; Foster, 'Institutions to benefices in the diocese of Lincoln in the sixteenth century', *Lincolnshire notes and queries*, 6 (1901), pp. 3-19, 83-5, 102-11, 142-7. See David M. Smith, *Guide to bishops' registers of England and Wales* (London 1981), p. 127.

²⁵ Gee, *Elizabethan Clergy*, p. 219.

²⁶ Gee, *Elizabethan Clergy*, pp. 239-40.

²⁷ Gee, *Elizabethan Clergy*, p. 247.

served to produce a figure which was ostensibly the result of sceptical rigour, but which was in fact a kind of lowest final offer in a bargaining contest with problematically incomplete sources.

III

Accepting, then, that Gee's figures are likely to be too low, what totals might other calculations yield? It is unlikely that any substantial new sources relating to this question will now emerge. We do however have the advantage over Gee of being able to analyse the existing information with new tools – spreadsheet software and the online Clergy of the Church of England Database (CCed).²⁸ The CCed in particular might seem to offer great potential for this investigation, and was its originally intended starting-point. It provides data on livings, offices, individuals and events, taken from thousands of local and central records from across the country. The database, work on which is ongoing, currently holds 1.5 million records, each with between ten and fifty data fields. Much of the labour of the CCed has gone into record linkage. This is a painstaking process that involves biographical research into a great number of historically-obscure parochial figures. Data is not added to the public site until it is linked to both a person and a place.²⁹

This focus on individuals can, however, be a significant obstacle when searching for deprivations. Some 'deprivation events' are attached to people listed as 'unknown' or 'not listed', which are ultimately findable, but obviously difficult to link to specific individuals. The front-end of the database is set up for research into people, or into one of five events: birth, appointment, ordination, subscription and death. There is no free-text search capability,

²⁸ <<http://db.theclergydatabase.org.uk/>>

²⁹ Arthur Burns, Kenneth Fincham, and Stephen Taylor, 'The problems and potential of pouring old wine into new bottles: reflections on the *Clergy of the Church of England Database 1999-2009*', in Rosemary C. E. Hayes and William J. Sheils, eds, *Clergy, church and society in England and Wales c. 1200-1800* (York, 2013), pp. 45-60.

and thus no quick way to obtain information on deprived clergy. Fortunately, the CCed is linked to Connected Histories, a JISC-funded online search project that enables free-text searches across a range of historical databases covering the period 1500-1900.³⁰ The CCed is periodically updated, yet Connected Histories searches its own static index of the CCed, meaning that most, but not all of the records available in the CCed can be found using Connected Histories. However, by searching for deprivations and resignations on the CCed here, and removing any duplicated or erroneous results, it is possible to get an overall picture of the numbers of deprived and resigning clergy identified as such in the CCed.

What this yields is a figure of 261 clergy deprivations across 306 livings in the period 1558 to 1569. There were in addition 423 resignations in 488 livings. Some of the deprivations will undoubtedly have been for pluralism or other non-ideological or non-conscientious reasons. These are actually fewer than Gee found for the period 1558-1564. This discrepancy may be because of the scrupulously well-linked character of the records in the publicly viewable CCed.

Nonetheless, assuming issues like this are common in the publicly-viewable data across the period covered by the CCed, comparisons between the 1560s and another decade serving as a control might yield an impression of a *relative* magnitude of the number of deprivations in the former period. We opted to use for this control period the comparatively calm 1610s, a decade for which the CCed produces evidence of only 19 clergy deprived in 24 livings – nearly sixteen times fewer than in the 1560s. There was no discernible difference between the periods in the number of resignations, however – there were 476 resignations in 488 livings in the 1610s. Nonetheless, there is clear reason here to suspect that the 1560s were a period of unusual turbulence in parochial tenure.

³⁰ Connected Histories < <http://www.connectedhistories.org/> >

Another, and in the end more fruitful, attempt to gauge the number of deprived and resigning clergy can be made from close examination of a hitherto almost completely neglected resource. This is a listing compiled by the amateur Sussex historian Colin W. Field: *The province of Canterbury and the Elizabethan Settlement of religion*, produced in a small number of typescript copies in 1973. Within it, Field supplies a detailed list of every findable clerical resignation, deprivation and ejection in the province in the period between Elizabeth's accession and the early 1570s.³¹ It is an impressive piece of archival detective work that to date has been very little noticed by scholars.³²

The format is that of an annotated listing, cross-referencing information on institutions data recovered from the episcopal registers to testamentary, visitation and other material. It provides a good deal of information on individuals, but it offers no sustained analysis of the deprived and resigned clergy, and, curiously, it attempts no statistical overview of the total number of clergy falling into the patterns identified. An unabashed sympathizer with the cause of the deprived Catholic clergy, Field's compendium is a memorial to those within it, descriptive, rather than analytical. It has, however, proved an invaluable resource for understanding the broader responses of the clergy of the 1560s.

Entering Field's findings into Microsoft Excel, and applying some consistent categories to the short accounts he gives of each subject, has furnished us with the following figures: 633 clergy from 769 parishes were deprived, and 361 clergy from 404 parishes resigned in the period 1559-1573, though in fact all but a couple of these events relate to the 1560s. Filtering out the men Field felt confident to identify as Protestants, or as deprived for reasons other than conservative sympathies, as well as those resigning and later taking up

³¹ At the time of publication a correspondent lamented the lack of availability of this 'important work' and put this down to the 'continuous rise in the cost of printing': *The Tablet*, 11 August 1973, p. 16.

³² Field's work has occasionally been cited, but mostly for biographical details of individual clergy. See Patrick McGrath, 'Elizabethan Catholicism: a reconsideration', *Journal of Ecclesiastical History* 35, 3 (1984), pp. 414-428, at p. 418; D. Andrew Penny, *Freewill or predestination: the battle over saving grace in mid-Tudor England* (Woodbridge, 1990), p. 40; Joy Rowe, "'The lopped tree': the re-formation of the Suffolk Catholic community", in Nicholas Tyacke, ed., *England's long Reformation, 1500-1800* (Abingdon, 1998), pp. 167-194, at p. 170.

another benefice, we are left with figures of 558 clergy deprived in 686 parishes, and of 231 clergy resigning from 255 parishes. The most likely final figure is thus one of 789 people removed, or removing themselves, and of 941 livings temporarily vacated for what seem very likely to be ideological reasons.

Some of the diocesan variations are striking. Edmund Guest, bishop of Rochester and ecclesiastical commissioner, was apparently the most thorough of the Elizabethan bishops. Just under one quarter of all parishes in Rochester experienced disruption through deprivation or resignation.³³ In Grindal's London, 101 parishes were deprived of their priests, and a further 44 parishes experienced resignations. This accounts for one fifth of all of the diocese's 738 parishes.³⁴ One-sixth of parishes in Ely and Winchester had a priest deprived or resign.³⁵ By contrast, other dioceses emerge with little disruption in Field's data. The Welsh dioceses of St. Asaph, Bangor, St. David's and Llandaff yielded just 16 deprivations in 881 parishes.

All these figures relate to the Province of Canterbury only, comprising around four-fifths of the livings in England and Wales. Adjusting the statistics pro rata would give us a total of 986 dissident clerics and 1,176 affected livings for the country as a whole. In fact, we may fairly doubt whether the under-documented province of York was as pliant as the southern province. Of the 90 senior clergy summoned before the northern visitation commissioners at the start of the reign, only 21 personally appeared and subscribed, while 36 flatly refused. Among the parish clergy, the names of 312 subscribers were recorded in 1559, probably only around a third of the priests in the province at the time. We do not know how many at that point refused or absented themselves, and nor do we know (in either the

³³ 21 deprivations and 5 resignations in 122 parishes.

³⁴ The total number of parishes has been taken from the relevant CCED 'Diocesan resources' pages: <http://theclergydatabase.org.uk/reference/diocesan-resources/a-z-list-of-dioceses/>

³⁵ 58 deprivations, 16 resignations in 339 parishes in Winchester; 19 deprivations, 7 resignations in 165 parishes in Ely.

southern or northern province) how many among the unbeneficed clergy withdrew from involvement with parish ministry.³⁶

We can, then, with a considerable degree of confidence suggest that Gee's figures for clerical resistance to the Elizabeth Settlement look like significant underestimates. His number of around 2-300 deprivations is, at best, a minimalist and unhelpfully circumscribed estimate drawn from incomplete data, and it follows that historians should stop uncritically recycling it. In a study of the diocese of Canterbury in the decade after Mary's accession, Christopher Buckingham concluded that clear patterns of the deprivation, resignation, or even the movement of the Marian clergy in the early years of Elizabeth's reign would be 'impossible to establish.'³⁷ Gee's claim to have traced them for the entire country seems close to hubristic. Moreover, if it seems likely that close to one thousand clergy left office for conscientious reasons in the early part of Elizabeth's reign, rather than two or three hundred (a number lower than Birt's estimate, but still substantial), this has significant implications for our understandings of the reception of the Religious Settlement, the character of Catholic identity and the priorities and capacities of the Elizabethan state.

Another unfortunate effect of the resilient influence of Gee's low estimate for the total of deprivations is that it has tended to reinforce an impression of relatively minor disturbance within a larger pattern of continuity and stability at parish level. In fact, a recalculation of the number of overt dissidents needs to be placed alongside the considerable evidence for dramatic disruption and turnover in clerical personnel more broadly. Andrew Foster writes of a truly remarkable 'devastation of the Church structure in the years 1558-9', as a wave of

³⁶ Haigh, *English reformations*, 243; C. J. Kitching, ed., *The Royal Visitation of 1559: act book for the northern province* (Surtees Soc., clxxxvii, 1975).

³⁷ Christopher Buckingham, 'The movement of clergy in the diocese of Canterbury, 1552-62', *Recusant History*, 14 (1977), pp. 219-241, quote at p. 227.

resignations, deprivations, deaths and delays in new appointments hit the functioning of the institution at all levels.³⁸

The influenza epidemic of 1558-9 was major factor in this. Of the men serving cures in the diocese of Canterbury at the start of the reign, 31 were dead by September 1560. In Chichester diocese, at least 74 parishes lost their incumbent due to death between November 1558 and 1561. In one deanery, the death rate among the clergy was more than 40 per cent.³⁹

A pattern of local experience of disruption was exacerbated in a number of places by a category of deprivation excluded from Gee's calculations: the restoration to their livings, and consequent displacement of the current incumbent, of clergymen who had been deprived in Mary's reign for having contracted marriage. A bill empowering the Queen to restore by Commission spiritual persons deprived for marriage was introduced into the Commons in April 1559. It failed in the Lords the following month, but the instructions to the visitation commissioners that summer explicitly authorized them to hear and determine 'all causes and complaints of all them which in respect of religion or for lawfull matrimony contracted and allowed by the same were injuriously deprived, defrauded and spoiled of their lands, goods, possessions, rights, dignities, livings, offices, spiritual and temporal', and to restore them to the same 'amoving the usurpers in convenient speed'.⁴⁰

The summary nature of these powers, and the fact that the original deprivations for marriage were regarded as invalid, with the successor seen to be holding the living illegally, contributed to a lack of formal recording in episcopal registers. Nonetheless, such restorations seem the likeliest explanation for the disappearance, before December 1559, of thirty-one clergy, who had not died, from benefices in the diocese of Canterbury. In Essex, 28 of 88

³⁸ Andrew Foster, 'Bishops, church and state, c.1530-1646', in Anthony Milton, ed., *The Oxford History of Anglicanism, Volume I* (forthcoming). Dr Foster's forthcoming book on English dioceses will shed considerably more light on this question.

³⁹ John I. Daeley, 'The episcopal administration of Matthew Parker, archbishop of Canterbury, 1559-1575' (PhD thesis, London, 1967), p. 149; McCann, 'Clergy and the Elizabethan Settlement', p. 113.

⁴⁰ Hilda E. P. Grieve, 'The deprived married clergy in Essex, 1553-1561', *Transactions of the Royal Historical Society*, 4th ser., 22 (1940), pp. 161-4.

deprived married clergy had been restored to their livings in the county by February 1561 (and a couple more to livings outside it). Those displaced to make way for them were not necessarily sympathisers with the old order, but their removal contributed towards what Timothy McCann aptly referred to as a period of ‘organizational disorder in episcopal and parochial affairs.’⁴¹

It is in this light that we should probably interpret Archbishop Parker’s requests, sent to bishops and archdeacons in 1560 and 1561, for the names of cathedral clergy as well as of ‘all and singular parsons and vicars’ within their jurisdictions, along with details on their residential, educational and marital status.⁴² This was not so much an initiative of reformist managerial control as a confession of frank ignorance about the state of the Church’s personnel and the capacity of the depleted resources its archbishop had inherited. Certainly, some of the reports returned made for depressing reading at Lambeth. The archdeaconry of Colchester contained 154 parishes, but 32 were reported to be vacant, and a further 50 were described as ‘destitute’ and lacking full-time clerical service.⁴³ Bishop Cox of Ely lamented in 1561 that of 152 cures in his diocese ‘ther ar dewly serued but only 52’. Of the remaining 100, 34 had no provision at all, while the rest were served by non-residents and temporary curates.⁴⁴ In such depleted circumstances, every single deprivation or resignation was a proportionately greater blow to the capacity of the parish clergy to serve as an instrument of the pastoral and political agenda of the clerical hierarchy.

⁴¹ Daeley, ‘Episcopal administration of Matthew Parker’, p. 156; Grieve, ‘Married clergy’, pp. 165-6; McCann, ‘Clergy and the Elizabethan Settlement’, p. 115.

⁴² J. Bruce and T. T. Perowne, eds, *The correspondence of Matthew Parker* (Cambridge, 1853), pp. 127-7, 153-4.

⁴³ Parker Library, Corpus Christi College, Cambridge, MS 122 (Certificates and Returns of Livings of the Province of Canterbury), pp. 45-53. For the total parishes in Colchester Archdeaconry, see J.E. Oxley, *The Reformation in Essex to the death of Mary* (Manchester, 1965), p. 18.

⁴⁴ CCCC MS 580B (Parker Certificates, Ely), fo. 20v. Our understanding of the state of the early Elizabethan Church will be greatly enhanced by the forthcoming edition of the Parker Certificates, being prepared for publication with the Church of England Record Society by Helen Parish, Felicity Heal, Ralph Houlbrooke and Fiona Youngman.

IV

In his pioneering work on sixteenth-century will preambles, A. G. Dickens wisely insisted that the results ‘should not be presented in any spirit of statistical pedantry.’⁴⁵ It is a monition we have borne in mind while attempting to probe, and recalibrate, the accepted figure for a likely number of clerical deprivations. It is simply not possible to say for certain how many parish clergy were deprived for adherence to Catholicism under Elizabeth, still less to probe and classify the motivations behind a probably unknowable number of resignations. A principal concern of this article is not so much to recalculate the *quantity* of conformity, as to register some queries and concerns about the deployment of the concept itself, and the unhelpful role that statistics can sometimes play in the process of discussing it.

Gee’s ‘around 300’ represents an instructive case-study in how memorable numbers can become unduly empowered in processes of historical exploration. In numerous accounts of the Reformation, the figure has come to serve as a convenient short-hand for the overwhelming ‘conformity’ of the clergy to the new religious order, and thus as an epigrammatic statement about the character and stability of the Settlement itself.

There is an added danger here is that we slip into thinking about conformity in almost ontological terms – as a state, identity or position, whether principled or unprincipled in its underlying motivation. Yet the statistics that supposedly exemplify it can only really measure the scope of legal and administrative actions (in so far as they are consistently and accurately recorded). ‘Conformity’ itself, moreover, is arguably by definition always something situational and contingent, rather than stable or essential. It is constituted temporally, and sometimes temporarily, by a dialectic of initiative and response, and it inevitably possesses many individual and localised features. The working assumption of Gee that the situation of

⁴⁵ A. G. Dickens, *Lollards and Protestants in the diocese of York* (Oxford, 1959), p. 172.

clergymen who initially subscribed, and subsequently got themselves into trouble, has no primary bearing on the reception of the settlement is especially problematic here.

The contingent character of conformity has in fact been well understood in some recent work on lay religious experience, particularly a set of perceptive discussions of the protean phenomenon of church papistry, by Alexandra Walsham, Michael Questier and others.⁴⁶ Kenneth Fincham, meanwhile, working on an only slightly later period, has reminded us of the localised lineaments of conformity, showing how the Church operated not with one ubiquitous standard of conformity for its clergy, but with a patchwork of tolerated conformities across its various dioceses.⁴⁷ We have also become accustomed, thanks principally to Pat Collinson, to the Elizabethan intricacies of Puritan clerical semi-conformism, and non-separating non-conformity.⁴⁸

The conservative clergy have not been entirely neglected in this wave of sophisticated post-revisionist analysis. Mark Byford's study of the ministry of William Sheppard, a former monk who became vicar of Heydon in Essex in 1541, and who served the parish till his death in 1586, revealed an intriguing figure who was neither cynical time-server nor Protestant convert. Sheppard, a notably conscientious pastor, was not so much straightforwardly a 'conformist' as someone whose life was fundamentally shaped by 'a series of conforming experiences'.⁴⁹ We also possess valuable case-studies, from different ends of the country, of two priests appointed to parochial posts in Henry's reign, and remaining at them up to their deaths well into Elizabeth's, despite each man being a convinced and articulate conservative:

⁴⁶ Alexandra Walsham, *Church Papists: Catholicism, conformity and confessional polemic in early modern England* (Woodbridge, 1993); Michael Questier, 'Conformity, Catholicism and the law', in Peter Lake and Michael Questier, eds, *Conformity and orthodoxy in the English Church, c. 1560-1660* (Woodbridge, 2000), pp. 237-261.

⁴⁷ Kenneth Fincham, 'Clerical conformity from Whitgift to Laud', in Lake and Questier, eds, *Conformity and orthodoxy*, pp. 125-158, esp. p. 128.

⁴⁸ Among a large corpus, see in particular Patrick Collinson, 'The cohabitation of the faithful with the unfaithful', in Ole Peter Grell, Jonathan I. Israel and Nicholas Tyacke, eds, *From persecution to toleration: the Glorious Revolution and religion in England* (Oxford, 1991), pp. 51-76.

⁴⁹ Mark Byford, 'The price of Protestantism: assessing the impact of religious change on Elizabethan Essex: the cases of Heydon and Colchester', (D.Phil. thesis, Oxford, 1988), p. 35.

Robert Parkyn of Adwick-le-Street in Yorkshire, and Christopher Trychay, vicar (1520-74) of Morebath in Devon.⁵⁰

Nonetheless, there has been a persistent tendency, consciously or otherwise, to bifurcate the incumbent Catholic clergy at the start of Elizabeth's reign into the binaries of conscientious objector and timeserving 'vicar of Bray'. Some priests may have made once-for-all decisions about what they were and where they stood, but many others did not, perhaps because they were not forced to, and because they had no real sense that 'conforming' to the Settlement was a definitive statement, the end of a linear movement, individual and collective, from Catholic to Protestant. We need here to interrogate more closely what 'conforming' to the Settlement might actually in practice mean, and to avoid making premature judgements about the spiritual life or political opinions of parish clergy on the basis of the apparent absence of a punishment dealt to them for not swearing an oath.

That begs an immediate question. It is significant that books and articles refer routinely to clergy taking or refusing the Oath of Supremacy, seemingly assuming the form that was specified in the act of 1559, a 'corporal oath' upon the gospel: 'I, *A. B.*, do utterly testify and declare in my conscience, that the queen's highness is the only supreme governor of this realm, and of all other her highness's dominions and countries, as well in all spiritual or ecclesiastical things or causes, as temporal... So help me God, and by the contents of this book.'⁵¹

Yet what usually seems to have been required from the clergy was a form of subscription falling some way short of the ritual character of an oath. As Gee himself recognised, what was generally administered was not the 'Supremacy Oath pure and simple',

⁵⁰ A. G., Dickens, ed., 'Robert Parkyn's narrative of the Reformation', *English Historical Review*, 62 (1947), pp. 58-83; Eamon Duffy, *The voices of Morebath: reformation and rebellion in an English village* (New Haven and London, 2001). See also Eamon Duffy, 'The conservative voice in the English Reformation', in Simon Ditchfield, ed., *Christianity and community in the West: essays for John Bossy* (Aldershot, 2001), pp. 87-105.

⁵¹ Henry Gee and W. J. Hardy, eds, *Documents illustrative of English church history* (London, 1896), pp. 448-9.

but rather ‘a summary form of subscription to the settlement of religion’.⁵² The test of loyalty administered to the Cathedral clergy of York, for example, took the form of a subscription and acknowledgement, conspicuously lacking what Jonathan Michael Gray has termed the ‘spiritual muscle that made oaths so binding’.⁵³

It is also very likely that, in some parts of the country at least, many clergymen kept hold of their livings without making any form of subscription at all, especially in view of a decidedly patchy rate of clerical attendance upon the royal visitors in the North.⁵⁴ Subsequent attempts to firm up the process could yield distinctly patchy results. Christopher Haigh’s analysis of Bishop Downham’s 1563 subscription campaign in Lancashire revealed that only 24 of 45 men serving in the deanery of Manchester subscribed the required articles acknowledging the queen’s status and the Prayer Book’s agreeability to the Word of God. In a follow-up visitation, 43 of the 98 South Lancashire incumbents and curates actually appearing failed to subscribe, and it seems that in a number of cases Downham was reluctant to force the issue, perhaps fearing the pastoral consequences of wholesale deprivations which might leave an unfeasibly large number of benefices and chapels without service.⁵⁵

Was the conformity of those who managed to evade subscription of the same sort and character as that of those who did not? The puritanically-inclined dean of Durham, William Whittingham, complained in 1564 that ‘many papists enjoy their livings and liberty who have not sworn obedience’.⁵⁶ A willingness to remain in one’s post when one was not being positively forced to vacate it could surely comprehend a variety of situations and motivations.

Nonetheless, the remarkable leniency with which even the overtly dissident were sometimes handled at the start of the reign is striking. The royal commissioners appointed to

⁵² Gee, *Elizabethan clergy*, p. 45.

⁵³ Gee, *Elizabethan clergy*, pp. 77-78; Jonathan Michael Gray, *Oaths and the English Reformation* (Cambridge, 2012), p. 53; Kitching, ed., *Royal Visitation of 1559*, pp. 11-12.

⁵⁴ Kitching, ed., *Royal Visitation of 1559*, p. xxii.

⁵⁵ Haigh, *Reformation and resistance*, p. 211.

⁵⁶ Birt, *Elizabethan Settlement*, p. 192.

enforce the Acts of Uniformity and Supremacy in Durham sequestered the livings of eight minor canons and five prebendaries for refusal to subscribe, but they did not proceed to deprive any of them. All stayed in their positions, though several subsequently played important and treasonable roles in the Northern Rising a decade later.⁵⁷

Sequestration itself muddies the waters around conformity, occupying an ambiguous space between refusal to subscribe and deprivation. The Supremacy Act stated that the livings of anyone refusing the oath were to be ‘utterly void to all intents and purposes, as though the incumbent thereof were dead’, and it empowered the patron to present a successor. Despite this, a subsequent taking of the oath allowed the ‘dead’ incumbent to come back to enjoy his living as he had done before. The Act provided an increasing scale of punishment for up to three refusals to subscribe to the oath (a third constituting high treason), just as the Act of Uniformity stipulated a graded scale of punishment for a clergyman refusing to use the Book of Common Prayer – only for a second offence was he to be deprived of his spiritual promotions.⁵⁸

The deferred threat of deprivation, the provision for escalating punishments beforehand, and the possibility of regaining a living once one had subscribed all made for a complex and contingent legal process that both anticipated rejection and allowed space for subsequent acceptance. Sequestration involved inhibiting the incumbent from fulfilling his duties, and placing the fruits of the benefice in the hands of administrators, in many cases churchwardens.⁵⁹ Sequestrators would then direct the administrators in their use of the fruits to provide for the ecclesiastical and pastoral needs of the benefice. Crucially, however, sequestrations were not enrolled in ecclesiastical registers, and the transition from the sequestered incumbent to their successor appeared only when the sequestered incumbent died, was deprived, or resigned. This occurred in at least two cases in Durham, one of which

⁵⁷ Rowland, ‘Popular reformation in county Durham’, pp. 134-39; Kitching, *Royal Visitation of 1559*, p. xxiii.

⁵⁸ Gee and Hardy, *Documents illustrative of church history*, pp. 449-53, 460-1.

⁵⁹ Birt, *Elizabethan Settlement*, p. 150.

featured William Whitehead of Heighington, participant in the Northern Rising, who was not formally replaced until 1576.⁶⁰ A relative dearth of deprivations in an episcopal register might thus reflect the practice of sequestering livings in the hope of a later subscription (that may ultimately have failed to materialise).

To a considerable extent, then, the large number of clergy retaining their livings after 1559 reflects not so much an overwhelming clerical ‘acceptance’ of the change of direction as a relative unwillingness on the part of the authorities to mount anything resembling a thorough, nationwide purge of malcontents. This was not an absolute given. As some recent work has shown, there were strident voices in the Elizabethan Church calling both for a bloody settling of scores with the persecutors of Mary’s reign and for public demonstrations of repentance on the part of anyone who had colluded with or acquiesced in the ‘idolatry’ preceding 1559.⁶¹ Yet, as one of the compromised ‘Nicodemites’ here was the queen herself, the prospects of this happening were slim to say the least.

As far as the clergy themselves went, the Royal Injunctions of 1559 recognized that some ‘indiscreet’ people were condemning and abusing ministers who ‘have of long time favoured fond phantasies rather than God’s truth’. But this was to stop: all subjects were henceforth to ‘use them charitably and reverently for their office and ministration sake’.⁶² Officially, the slate was wiped clean. Priests ordained under the Roman rite and ministers created by the new ordinal enjoyed a theoretical position of equality, with no serious suggestion that the orders of the former were invalid for service in the reformed Church.

There is, however, no doubt that in several quarters the former Marian clergy, however outwardly conforming they were, remained objects of suspicion. It is notable that the act of 1571 which gave statutory underpinning to the Thirty-Nine Articles required

⁶⁰ Birt, *Elizabethan Settlement*, p. 154.

⁶¹ Robert Harkins, ‘Elizabethan Puritanism and the politics of memory in post-Marian England’, *Historical Journal*, 57 (2014), pp. 899-919; Karl Gunther, ‘The Marian persecution and early Elizabethan protestants: persecutors, apostates, and the wages of sin’, *Archiv für Reformationsgeschichte*, forthcoming.

⁶² Gee and Hardy, *Documents illustrative of church history*, pp. 430-1.

subscription to them from everyone ‘which does or shall pretend to be a priest or minister of God’s holy word and sacraments, by reason of any other form of institution, consecration or ordering than the form set forth by Parliament in the time of... Edward VI, or now used in the reign of our most gracious sovereign lady’.⁶³ Even as late as 1597, an elderly vicar in east Yorkshire was defamed by a fellow clergymen: ‘thou art no priest; nor any that was made priest in Queen Mary’s time, as thou wast’.⁶⁴ In 1575, when the abilities of local clergy were being examined by the chaplains of Archbishop Grindal of York, returns for the deanery of Craven took care to note who among them was ‘sacerdos pontificius’ and who was ‘minister verbi’ – the latter were here a very small minority.⁶⁵

Sometimes one could tell who in their heart was ‘sacerdos pontificius’ just by looking at them. During their visitation in 1562, ecclesiastical commissioners censured Henry Snape, curate of St Mary’s, Chester, ‘for his shaven Crowne’.⁶⁶ Three years into the new reign this was likely already to have been a rare sight, but anxieties about the allegiance and reliability of the clergy remaining in post were pervasive, even (or especially) among the bishops themselves.

In 1564 – Gee’s terminal year for gauging clerical acceptance of the Settlement – the bishops were invited by the Privy Council to report on the reliability of the JPs within their dioceses. Several, however, took the opportunity to express ongoing concerns about clerical dissidence. In some cases, this focused on priests who had already been cut off, or separated themselves, from the institutional structures of the Church. Edwin Sandys of Worcester bemoaned the presence in his diocese of ‘popishe and peruerse priestes which, misliking religion, haue forsaken the ministerie and yet liue in corners, are kept in gentillmens houses

⁶³ Gee and Hardy, *Documents illustrative of church history*, p. 478.

⁶⁴ Peter Marshall, *The face of the pastoral ministry in the East Riding, 1525-1595* (Borthwick Paper No. 88, York, 1995), p. 2. During an argument in 1578, Dean Matthew Hutton of York had the temerity to tell his archbishop, Edwin Sandys, ‘my Lord, my orders are better than yours... for I was made a minister by the order of the Queen’s Majesty and laws now established, and your grace a priest after the order of popery’: *ibid.*, p. 1.

⁶⁵ J. S. Purvis, ed., *Tudor parish documents of the diocese of York* (Cambridge, 1948), pp. 111-2.

⁶⁶ Patricia Cox, ‘Reformation responses in Tudor Cheshire c.1500-1577’ (PhD thesis, Warwick, 2013), p. 306.

and had in greate estimacion with the people, where they marvailouslie pervert the Simple'. John Scory of Hereford similarly reported on the activities of several priests, 'which in Quene Marys daies had livinges and officeis in the churche', who were now shuttling between gentlemen's houses and proving themselves 'mortall and deadly ennemys to this religion'. All these, presumably, were formally deprived. But Scory was equally concerned about the clergy still holding office within his own cathedral church. Every one of the canons residentiary, with a single unimpressive exception, he considered to be 'but dissemblers and rancke papistes'. According to information from the dean, the vicars choral, deacons and sextons were likewise 'mortall ennemys' to true religion, and 'receivears and mayntenars' of other malcontents.⁶⁷

Edmund Scambler of Peterborough was another bishop worried about 'stragling doctors & priestes who haue libertie to stray at there pleasures'. He wanted these to be called before the high commissioners, there to 'shew there conformitie in religion by subscribing or open recantacion', or else to face imprisonment. But Scambler was equally distrustful of the incumbent cathedral clergy, in his own diocese and beyond, offering the suggestion that all prebendaries in the land be forced 'to make a manifest and open declaration of there faithe before the congregacion by thappoyntment of the Bysshopp of the diocesse'.

What seems clear from these expressions of episcopal frustration and paranoia is that, five years into the reign, the line separating clerical 'conformity' from 'non-conformity' was permeable and sometimes paper-thin. When Thomas Bentham of Coventry and Lichfield complained about 'lewd priests' resorting for conference to the imprisoned former bishop of Peterborough, David Pole, it is not entirely clear if he believed these to be former or present incumbents of parish livings, or a mixture of both.⁶⁸

⁶⁷ Mary Bateson, ed., 'A collection of original letters from the bishops to the privy council, 1564', in *Camden Miscellany*, Vol. 9 (Camden Society, ns, 53, London, 1895), pp. 3, 19-21.

⁶⁸ Bateson, 'Original letters', pp. 34-5, 40.

V

Henry Gee's *The Elizabethan Settlement* remains to this day a remarkable work of scholarship, and we should resist any temptation to succumb to the condescension of posterity and caricature its argument and emphases. Gee recognized that the majority of the clergy did not welcome the change of regime, and that the enforcement of the Settlement was patchy and pragmatically lenient.⁶⁹ Yet his positivism about the tracing and recording of deprivations in the first years of Elizabeth's reign arguably helped mislead several generations of scholars into believing that something statistically measurable could be claimed about the spirit in which the 'alteration of religion' was received by the great majority of the parish clergy. Even a historian as subtle and imaginative as Alexandra Walsham has been able to write that the small round of deprivations after 1559 left in the lower ranks of the clergy 'an army of timeservers... who had passively and prudently submitted to the settlement'.⁷⁰

There is much evidence, however, to suggest that the passivity and the prudence were both contingent and brittle, and that the 'conformity' of the majority of the clergy at the start of the reign was very far from an overwhelming vote of confidence in the aims or the durability of the Elizabethan regime. This evidence adds another layer of texture to the growing realization among historians that the preceding regime, of Mary I and Cardinal Pole, had managed to do a very great deal to strengthen both the institutional and ideological fibres of English Catholicism.⁷¹

Gee's 'perverts' – an unfortunate designation if ever there was one – deserve more attention here, as they point us towards the decidedly variegated and provisional character of

⁶⁹ Gee, *Elizabethan Settlement*, esp. pp. 248-51.

⁷⁰ Walsham, *Church Papists*, p. 14.

⁷¹ Duffy, *Fires of Faith*, pp. 188-207. Cf. the judgment of Susan Doran and Thomas S. Freeman that the leadership of the Marian Church 'fostered a parochial revival of Catholicism that took a generation at least to eradicate': 'Introduction', in Susan Doran and Thomas S. Freeman, eds, *Mary Tudor: old and new perspectives* (Basingstoke, 2011), p. 17.

the reception of the Settlement by many of the parish clergy. Some of these subscribers-turned-resisters were indeed instituted *after* 1559, and thus widen the focus of the discussion beyond the vigour or otherwise of the Marian clergy as an incumbent group. A few of these – Edmund Campion is the most glittering example – left their preferments to pursue distinguished careers on the continent.⁷² And some ended up there by distinctly circuitous institutional routes. Nicholas Wendon was deprived of the rectory of Minster-in-Thanel, Kent, before October 1561, after he failed to appear at the visitation or to show cause for possession of the benefice. But in the meantime he was (in April 1559) instituted as archdeacon of Suffolk, apparently prior to being ordained deacon at Ely in 1560. He was subsequently appointed to a prebend of Norwich Cathedral, as well as to the parochial benefices of Winesham, Suffolk, and Tawtsock, Devon (in the latter case, as late as November 1570). From May 1561 onwards, he was in receipt of a succession of royal licenses to travel abroad, and was reported in 1567 to be living ordinarily at Louvain. But only in the 1570s was he finally deprived of his promotions, around the time he went to Rome to be made subdeacon of the Lateran Basilica. In the 1580s, he was drawing pensions from both the Pope and the King of Spain.⁷³

Other, less well connected, clerical office-holders simply took to the road within England as runagate hedge-priests. One such was the Oxfordshire minister Gregory Gunnes, who in 1576, after serving ten years as rector of Yelford, gave up his benefice, as he said, ‘for his conscience’, and tramped around the vicinity as an itinerant Catholic activist.⁷⁴ John Vivian, a seemingly committed Calvinist minister, took up the rectory of St. Just, Cornwall in 1572, only to be deprived five years later, and spend six months at Rheims and Laon before

⁷² Michael A. R. Graves, ‘Campion, Edmund [St Edmund Campion] (1540–1581)’, *ODNB*.

⁷³ *The East Anglian*, No. 11 (July, 1862), pp. 129–30; Thomas F. Mayer and Courtney B. Walters, eds, *The Correspondence of Reginald Pole. Volume 4. A Biographical Companion: The British Isles* (Aldershot, 2008), p. 568; Godfrey Anstruther, *The Seminary Priests. A dictionary of the Secular Clergy of England and Wales 1558–1850: 1 Elizabethan 1558–1603* (Durham, 1969), p. 375; CCED person ID: 33371

⁷⁴ SP 12/179, fos. 9r–13r. For Gunnes’ rectorship of Yelford: CCED Person ID: 16421

returning to spend the 1580s in attempts to avoid the authorities as an undercover massing priest in Suffolk.⁷⁵

Without doubt, the most dramatic cases of tightly-wound and over-tipped consciences among ‘conformist clergy’ are provided by a handful of Durham priests, who during the Northern Rising of 1569 apologized to their neighbours for having taught false doctrine over the past decade. At Windelston, witnesses heard the priest, Sir Edward, ‘say openly in the pulpit that he had taught them with wronge’. John Browne, perpetual curate of the chapelry of Witton Gilbert, begged the mercy of both God and his parishioners for having gone ‘against my own soul’. In what sounds like a display of real anguish, he deprived himself, renouncing his living in front of them, and asking that ‘wheresoever you meet me, in town or field, take me as a stranger, and none of your curate’.⁷⁶

Many of the home-grown, non-seminarist Catholic clergy studied by Patrick McGrath and Joy Rowe – at least 130 of whom were imprisoned at some point during the reign of Elizabeth – had served for a time in the post-1559 Church of England: their ragged passage from conservatism into recusancy mirrored and influenced patterns among the lay people they served.⁷⁷ That passage was slow, sometimes hesitant, and by some never taken. Undoubtedly there were many, like the ex-Augustinian William Sheppard of Heydon in Essex, who adapted, or conformed, themselves to the changing world and ceased

⁷⁵ CCEd location ID: 15907; Anstruther, *The Seminary Priests*, p. 367, who says Vivian resigned. See Thomas Knox, *The first and second diaries of the English College, Douay and an appendix of the unpublished documents* (London, 1878), p. 150, ‘in tantum erat divina gratia collustratus ut beneficio sponte renunciatus aut consilio, ex Calvinista Christianus, ex praedicator haereticus athleta catholicus evasit’. See also Anstruther, *The Seminary Priests*, pp. 13, 72, 110, 224, 244, 287, 306, 343, 384.

⁷⁶ Krista J. Kesselring, *The Northern Rebellion of 1569: faith, politics and protest in Elizabethan England* (Basingstoke, 2010), p. 73; James Raine, ed., *Depositions and other proceedings from the courts of Durham*, Surtees Society, 21 (London, 1845), pp. 138, 160, 180, 200-1; Cuthbert Sharp, ed., *Memorials of the Rebellion of 1569* (London, 1840), p. 261; Robert Surtees, ‘Chapelry of Witton Gilbert’, in *The History and antiquities of the County Palatine of Durham: Volume 2, Chester Ward* (London, 1820), pp. 368-376 (Browne is first recorded as curate in 1561, and was deprived in 1570).

⁷⁷ Patrick McGrath and Joy Rowe, ‘The Marian priests under Elizabeth I’, *Recusant History*, 17 (1984), pp. 103-20; ‘The imprisonment of Catholics for religion Under Elizabeth I’, *Recusant History*, 20 (1991), pp. 415-35.

meaningfully to be ‘Catholics’ without ever internalizing the doctrines of Protestantism.⁷⁸ But in a number of dioceses, episcopal visitation articles were still enquiring, well into the 1580s, ‘whether your parson, vicar or curate... be a favourer of the Roman Church or religion’?⁷⁹

Such people undoubtedly existed, and the godly were acutely attuned to their parochial presence. To Anthony Gilby, writing in 1581, it was one of the ‘grosse points of poperie’ still remaining in the English Church that ‘olde monkes, and friars, and olde popishe priestes, notorious idolaters, openlie periured persones, haltinge hypocrites, manifest apostates’ were allowed to occupy the places deserving of ‘true and faithfull pastors’.⁸⁰ The county-based Puritan surveys of the ministry, undertaken in the mid-1580s to fuel parliamentary campaigns for further reformation, often scrupulously recorded who was an ‘old mass man’, ‘sometime a mass priest’ or ‘sometime a popish priest’. But in numerous cases they also made specific accusations of active support for popery among the serving parish clergy.⁸¹

In at least some cases, a decision to remain within the Church of England seems to have been linked to a hope or expectation that religion would once again turn. In 1576, for example, John Baron, rector of Siddington St. Mary in Gloucestershire, who had been in parish ministry since 1544, was made to do penance for announcing that ‘he had said masse and did trust to lyue to say masse againe’.⁸² A couple of years later, during the Anjou marriage negotiations, one of the curates of the vicar of Wooton, Warwickshire, ‘upon rumour

⁷⁸ Byford, ‘Price of Protestantism’, *passim*.

⁷⁹ W. P. M. Kennedy, ed., *Elizabethan episcopal administration: an essay in sociology and politics* (3 vols, London, 1924), II, 113, 122; III, 140, 146, 154, 163.

⁸⁰ Anthony Gilby, *A pleasant dialogue, betweene a souldior of Barwicke, and an English chaplaine* (Middleburg, 1581), sig. M2r.

⁸¹ Albert Peel, ed., *The seconde parte of a register* (2 vols., Cambridge, 1915), II, 99, 102, 103, 104, 105, 107, 139, 147, 150, 151, 152, 153, 154, 155, 162, 166, 167, 169, 170, 173. For further examples, see Christopher Haigh, ‘The Church of England, the Catholics and the people’, in Haigh, ed., *The reign of Elizabeth I* (Basingstoke, 1984), pp. 196-7, 200; Haigh, *English reformations*, pp. 248-9; Walsham, *Church Papists*, pp. 14-15.

⁸² F. D. Price, ‘The commission for ecclesiastical causes for the dioceses of Bristol and Gloucester, 1574’, *Transactions of the Bristol and Gloucestershire Archaeological Society*, 59 (1937), pp. 61-184, p. 150; CCED person ID 145572.

of a change in religion... did shave his beard'.⁸³ Even those among the clergy who dreaded the return of Catholicism recognised it as a distinct possibility: in his will of 1586, Robert Tower, rector of Great Leighs in Essex, bequeathed a house to his wife and his son and, in the event of their deaths, to Queen's College to buy land to educate poor men's children in divinity. Yet this provision was to be rescinded should 'religion alter and masse be received'.⁸⁴

Contemporaries knew, as historians have had to force themselves to learn, that the change of religion in 1559-60 was very far from a settled and irreversible fact. That in itself should prompt reflection on how 'conformity' was a more complex and polysemous phenomenon than it is sometimes supposed to have been, and one that scarcely lends itself to any form of precise statistical enumeration. Nonetheless, if revising upward the generally accepted estimate of identifiable clerical opponents of the new regime serves to discourage further glib assertions about smooth 'acceptance' of the change of religion, it will have been a worthwhile exercise. Classical historians tell us there were 700 Thespians, 400 Thebans, and perhaps several thousand helots, alongside the 300 Spartans at Thermopylae.⁸⁵ But myth-making of all kinds thrives on the mnemonic potency of numbers.

⁸³ Peel, *Seconde parte of a register*, II, 166.

⁸⁴ TNA, Probate, 11/69. We are indebted to Anne Thompson for this reference.

⁸⁵ Hans van Wees, 'Politics and the battlefield: ideology in Greek warfare', in Anton Powell, ed., *The Greek world* (London, 1995), p. 176; Paul Cartledge, *Thermopylae: the battle that changed the world* (Basingstoke, 2006), pp. 131, 136-7, 192-3.